



**LAP13 Rec'd PCT/PTO 22 FEB 2007**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Martha K. Newell Rogers et al. )  
Serial No. : 11/556,653 ) CONFIRMATION No. 6541  
Filed : May 12, 2004 )  
For : DIAGNOSTIC AND THERAPEUTIC )  
TREATMENTS RELATED ... )  
Docket No.: 7450-112 )

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this correspondence or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 22, 2007

Jean Bove

02/28/2007 LLANDGRA 00000054 11556653

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65.00 OP

**BERLINER & ASSOCIATES**  
555 West 5th Street, 31st Floor  
Los Angeles, CA 90013

***RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION***

**BOX MISSING PARTS**  
Commissioner for Patents  
P. O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed January 24, 2007, attached are the following:

- 1) DECLARATION, POWER OF ATTORNEY & PETITION;
- 2) Check in the amount of \$65.00; and
- 3) A copy of the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35

USC 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE .

**E0746488527US**

The Commissioner is also hereby authorized to charge or credit any overpayment to Deposit Account No. 50-3881. If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit account No. 50-3881.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert Berliner', with a long horizontal flourish extending to the right.

ROBERT BERLINER  
Registration No. 20,121

(213) 533-4171  
(213) 533-4174 (facsimile)



02-26-07

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PCT/18

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/556,653	Rogers M. K. Newell	LA-7450-112WO

Received  
Berliner & Associates

FEB 20 2007

Robert Berliner  
Fulbright & Jaworski  
555 South Flower Street  
Forty-First Floor  
Los Angeles, CA 90071

INTERNATIONAL APPLICATION NO.	
PCT/US04/14996	
I.A. FILING DATE	PRIORITY DATE
05/12/2004	05/13/2003

CONFIRMATION NO. 6541

371 FORMALITIES LETTER



\*OC000000022327602\*

DOCKETED FOR

3-5-07  
4-5-07 FNP

Date Mailed: 02/05/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/12/2005
- Copy of the International Search Report filed on 11/12/2005
- Copy of IPE Report filed on 11/12/2005
- Preliminary Amendments filed on 11/12/2005
- Request for Immediate Examination filed on 11/12/2005
- U.S. Basic National Fees filed on 11/12/2005
- Priority Documents filed on 11/12/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,653	PCT/US04/14996	LA-7450-112WO

FORM PCT/DO/EO/905 (371 Formalities Notice)